



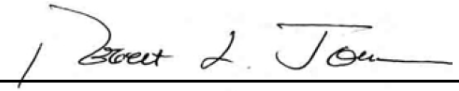
CLERK, U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS

ENTERED

THE DATE OF ENTRY IS ON
THE COURT'S DOCKET

The following constitutes the ruling of the court and has the force and effect therein described.

Signed April 24, 2019


United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION**

IN RE:

**GALMOR'S/G&G STEAM SERVICE,
INC.,**

Debtor.

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CASE NO. 18-20210-RLJ-7

**GALMOR'S/G&G STEAM SERVICE,
INC.,**

Plaintiff,

v.

KIRBY-SMITH MACHINERY, INC.,

Defendant.

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ADVERSARY NO. 18-2013

AGREED JUDGMENT

Kent Ries, the Chapter 7 trustee (the "Trustee") of the bankruptcy estate of Galmor's/G&G Steam Service, Inc. ("Debtor") and Plaintiff herein and Kirby-Smith Machinery, Inc. (the "Defendant"), the Defendant herein, have reached an agreement wherein the Defendant

admits and agrees that the abstract of its judgment taken against Debtor, recorded in Vol. 737 page 798 in the Real Property Records of Wheeler County, Texas on June 14, 2018 (the Abstract of Judgment), was recorded within the 90 day preference period under Bankruptcy Code § 547. The parties agree that the Abstract of Judgment is a preferential transfer that can be avoided by the Trustee to the extent there is real property of the Debtor's bankruptcy estate located in Wheeler County, Texas at the time the Abstract of Judgment was recorded until the bankruptcy case was filed and that property is worth more than \$600.00. The parties also agree that if there is no real property of the Debtor's bankruptcy estate located in Wheeler County, Texas at the time the bankruptcy case was filed, the Defendant's claims in this case are unsecured.

Based on the parties' agreement, the Court finds jurisdiction over the subject matter of the adversary and further finds that the relief sought herein is in order. It is therefore

ORDERED, ADJUDGED AND DECREED, Defendant's claims in Case Nos. 18-20209 and Case No. 18-20210 will be treated as unsecured claims for purposes of any distribution to creditors by the Trustee. It is further,

ORDERED, ADJUDGED AND DECREED, that this Judgment is not an adjudication on the merits of Defendant's claims, other than the classification of such claims as unsecured. It is further,

ORDERED, ADJUDGED AND DECREED, that this Judgment is not binding on the Defendant to any bankruptcy case that is dismissed, nor to the extent the Defendant's debt is not discharged in either bankruptcy case, and the Debtor in such case owns or acquires real property in Wheeler County, Texas, that is not administered in the bankruptcy cases.

END OF JUDGMENT

Prepared By:

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AGREED:

/s/ Kent Ries

Kent Ries, Attorney for Plaintiff

/s/ Kevin S. Wiley, Jr.

Kevin S. Wiley, Jr., Attorney for Defendant